

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2008-051443

12/01/2010

HON. PAUL A KATZ

CLERK OF THE COURT
C. Smothers
Deputy

IN RE THE MATTER OF
ANN MARIE SEWELL-SIMS

DOUGLAS G PARKER

AND

GREGORY M SIMS

GREGORY M SIMS
4615 N 22ND ST # 203
PHOENIX AZ 85016

CONCILIATION SERVICES-NE

MINUTE ENTRY

Courtroom 111 – Northeast Regional Court Center

11:00 a.m. This is the time set for a Return Hearing. Petitioner/Mother is present with above-named counsel. Respondent/Father is present on his own behalf.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Discussion is held. .

Pursuant to the matters presented,

IT IS ORDERED that unless parties otherwise agree, the minor child shall be immediately re-enrolled at Sierra Verde School.

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IT IS FURTHER ORDERED that the parties shall schedule a meeting with the Sierra Verde School principal and the minor child's current homeroom teacher at the earliest possible date so that the parties can address any concerns that they may have.

IT IS ORDERED referring the parties to Conciliation Services for an Interview of the minor child. The parties shall comply with all instructions and directives issued by Conciliation Services.

IT IS FURTHER ORDERED directing Conciliation Service to conduct an interview of the minor children Noel Sims (DOB: 11/04/1997).

IT IS FURTHER ORDERED setting the Interview of the Minor Child for December 8, 2010, at 1:30 p.m. in Conciliation Services at:

Maricopa County Superior Court
Northeast Regional Court Center
18380 North 40th Street
Phoenix, Arizona 85032

IT IS FURTHER ORDERED that neither party shall encourage, coach or influence the child to say anything in particular to Conciliation Services.

IT IS FURTHER ORDERED that neither party shall share the child interview report or the contents of the report with the minor child.

IT IS ORDERED referring the parties to Conciliation Services for post-decree mediation of child custody and/or parenting-time issues. The parties shall comply with all instructions and directives issued by Conciliation Services.

IT IS FURTHER ORDERED that each party must pay the **\$100 per party** fee at the Clerk of the Court filing counter, at least 30 days before the mediation. Each party must bring the receipt for payment or deferral to the mediation. Forms to request a fee deferral are available at the filing counter.

IT IS FURTHER ORDERED setting Mediation for December 27, 2010, at 8:00 a.m. in Conciliation Services at:

Maricopa County Superior Court

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Northeast Regional Court Center
18380 North 40th Street
Phoenix, Arizona 85032
WARNING

IF YOU FAIL TO APPEAR AT THE MEDIATION AS ORDERED, YOU MAY BE REQUIRED TO PAY A \$100 NO SHOW FEE. IF YOU CANNOT ATTEND, YOU MUST REQUEST AND BE GRANTED PERMISSION FROM THE JUDGE IN YOUR CASE TO RESCHEDULE THE SESSION AT LEAST THREE FULL COURT DAYS BEFORE THE MEDIATION. IF AN AGREEMENT IS REACHED PRIOR TO YOUR APPOINTMENT DATE, YOU MUST SUBMIT A REQUEST TO THE JUDGE TO VACATE THE CONFERENCE AND WAIVE THE FEE IN ORDER TO AVOID FEE COLLECTION.

IT IS FURTHER ORDERED setting Evidentiary Hearing in this matter on **March 30, 2011, at 10:00 a.m.** (time allotted: 2 hours) in this Division, at:

Maricopa County Superior Court
Northeast Regional Court Center
18380 N. 40th St
Courtroom 111
Phoenix, AZ 85032

Each party shall have one-half of the allotted time to present his or her case.

Failure of counsel or of any party to appear at the hearing or to comply with the orders below may result in the imposition of any or all available sanctions authorized by Rule 6.2, Local Rules of Superior Court, Maricopa County, including hearing this matter as a default.

If a party fails to appear this Court will proceed in that party's absence; if both parties fail to appear, the matter will be dismissed.

IT IS FURTHER ORDERED:

1. The parties shall exchange lists of witnesses, disclosure of the testimony of each witness and exhibits **thirty (30)** days prior to the hearing. Absent good cause, exhibits not exchanged will not be admitted, witnesses not listed will not testify, and testimony not disclosed will not be admitted.

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2. Any objection to the exchanged exhibits shall be filed not later than **fifteen (15)** days prior to the hearing. Failure to file written objections shall be deemed a waiver of the right to object at the hearing.
3. The parties shall file the following documents **five (5)** days prior to the Evidentiary Hearing:
 - a. Joint Pre-Hearing Statement required by Rule 6.8(b), Local Rules of Superior Court, Maricopa County.
 - b. An Affidavit of Financial Information, if an affidavit has not been filed within the past six (6) months that is substantially accurate at the time of the hearing.
 - c. The parties shall file with the Court with a copy to the other party at least five days before the trial date a specific proposed division of property and debt, including account numbers and account balances, legal descriptions of real estate, a listing of all items of personal property in need of division and their proposed division of same, vehicle ID numbers and obligations due thereon as well as their position with regard to custody, parenting time and spousal maintenance, if applicable.
 - d. If either party is desirous of an award of spousal maintenance, they shall also set forth their position as to how much spousal maintenance they are requesting and for how long a period of time it should be paid.
 - e. If either party believes child support is an issue, a Child Support Worksheet shall be completed pursuant to the Statewide Child Support Guidelines. If a jointly prepared Worksheet is not filed, each party shall file a completed Child Support Worksheet.

IT IS FURTHER ORDERED all exhibits to be offered at time of hearing shall be **hand-delivered to the clerk** of this Division **at least 5 days prior to date of hearing**. Each exhibit shall be listed on a table of contents and **separated by a sheet of colored paper** to easily identify where one exhibit ends and the next begins. **Each exhibit must be stapled in the upper left hand corner**, or bound in some fashion if too large to be stapled, to prevent separation of the exhibit during trial. Your exhibits will be returned to you if they are submitted without being permanently bound! If it is not possible to bind an exhibit, please contact this Division via telephone or e-mail. **Do not submit the exhibits in three ring binders.** A bench copy is not

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necessary.

IT IS FURTHER ORDERED that the parties shall indicate in the Joint Pretrial Statement any exhibits that the parties specifically agree are admissible at the hearing. **Exhibits not stipulated to by the parties must be moved into evidence at the hearing.**

The parties may present to the Court a stipulation resolving any issues or a stipulated agreement with accompanying documents subject to the Court's review for sufficiency, for immediate entry should the entire case be settled.

POSTPONEMENTS AND SCHEDULE CHANGES

Postponements and schedule changes will not ordinarily be granted. Any postponement or change will be granted only in accordance with appropriate rules, based on a showing of good cause, and requires the express written approval of the Court.

11:30 a.m. Matter concludes.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.